

### **REMARKS**

Claims 1, 4, 7, and 12-14 are now pending in the application. Claims 1, 4, 7, 13, and 14 are now amended. Claims 2, 3, 5, 6, 8-11, and 15-17 are now cancelled. The claim amendments are fully supported by the application as filed and do not introduce new subject matter. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **ELECTION/RESTRICTION REQUIREMENT**

The Restriction Requirement mailed March 7, 2006 included Claim 7 in Group I. In Applicants' Response filed March 29, 2006, Applicants elected Group I with traverse. The outstanding Office Action indicates that Claim 7 is now withdrawn and provides no explanation for this withdrawal. It appears that Claim 7 was withdrawn in error. Therefore, Applicants respectfully request reconsideration of the withdrawal of Claim 7 and examination of Claim 7.

In Applicants' March 29, 2006 Response, Applicants also requested inclusion of Claim 13 in Group I. The outstanding Office Action maintains that Claim 13 is not part of Group I because Claim 13 is an apparatus claim that recites a colored layer that can be formed by a different method than that recited in the elected method claims. The Office Action apparently comes to this conclusion by not giving patentable weight to the following features of Claim 13: "the colored layer is exposed using a mask" and "the mask has a pattern having an asymmetrical, two-dimensional shape with no corner."

Claim 13 is directed to an electrooptical device manufactured according to the method of Claim 1. The colored layer of Claims 1 and 13 is "exposed using a mask" and "the mask has a pattern having an asymmetrical, two-dimensional shape with no

corner.” The mask provides the colored layer with specific structural characteristics. Therefore, the quoted language of Claim 13 must be given patentable weight.

The mask of Claim 13, which has an “asymmetrical, two-dimensional shape with no corner” is the same type of mask of Claim 1. Therefore, Claim 13 should be included in elected Group I.

Applicants respectfully request reconsideration of the withdrawal of Claim 13 and ask that Claim 13 be considered with elected Group I.

Applicants maintain that Examination of all of the claims as filed will not place an undue burden on the Examiner. However, Applicants now cancel Claims 2, 3, 5, 6, 8-11, and 15-17 in order to expedite prosecution of this application.

#### **REJECTIONS UNDER 35 U.S.C. §§ 102/103**

Claims 1-3 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Narutaki et al. (U.S. Pat. No. 6,215,538). Claims 4-5 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Narutaki et al. reference. These rejections are respectfully traversed.

Amended independent Claims 1, 4, 7, 13, and 14 each recite, in part and with reference to Figure 19 for exemplary purposes only as the invention includes numerous embodiments, a mask P7 having a pattern with an asymmetrical shape, the mask forms a colored layer having an opening corresponding to the asymmetrical shape.

The Narutaki et al. reference appears to disclose, with reference to Figure 15, a colored filter 11 having a non-color filter region M. The non-color filter region M is symmetrical. Narutaki et al. appears to disclose that the colored filter 11 can be formed using a mask. It follows that the mask used to form the non-color filter region M may have a symmetrical pattern. However, the Narutaki et al. reference fails to disclose or

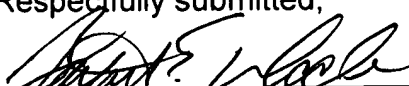
suggest a colored filter having an asymmetrical opening or asymmetrical non-color filter region. Thus, the Narutaki et al. reference fails to disclose or suggest the use of a mask having a pattern with an asymmetrical shape.

The Narutaki et al. reference fails to disclose or suggest each and every feature of amended Claims 1, 4, 7, 13, and 14, such as a mask having a pattern with an asymmetrical shape. Therefore, the Narutaki et al. reference fails to anticipate or render obvious independent Claims 1, 4, 7, 13, and 14, as well as those claims dependent therefrom. As a result, Applicants respectfully request reconsideration and withdrawal of the Section 102 and Section 103 rejections of Claims 1, 4, 7, 13, and 14 and those claims dependent therefrom.

#### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

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Respectfully submitted,  
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